

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference WPP93257	FOR FURTHER ACTION	See item 4 below
International application No. PCT/GB2005/003411	International filing date (<i>day/month/year</i>) 05 September 2005 (05.09.2005)	Priority date (<i>day/month/year</i>) 22 October 2004 (22.10.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NDS LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 24 April 2007 (24.04.2007)
Facsimile No. +41 22 338 82 70	Authorized officer <div style="text-align: center; font-weight: bold; margin-top: 10px;">Dorothee Mülhausen</div> e-mail: pt01.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 24 APR 2006

WIPO PCT PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2005/003411

International filing date (day/month/year)
05.09.2005

Priority date (day/month/year)
22.10.2004

International Patent Classification (IPC) or both national classification and IPC
INV. G06F3/033

Applicant
NDS LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - Gitschiner Str. 103
D-10958 Berlin
Tel. +49 30 25901 - 0
Fax: +49 30 25901 - 840

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Kirsten, K

Telephone No. +49 30 25901-424



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/003411

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/003411

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-18
Inventive step (IS)	Yes: Claims	
	No: Claims	1-18
Industrial applicability (IA)	Yes: Claims	1-18
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following document:
D1 : EP 1 418 498 A (NEC CORPORATION) 12 May 2004 (2004-05-12)
2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1,6,11 is not new in the sense of Article 33(2) PCT.
 - 2.1 Document D1 discloses (the references in parentheses applying to this document):
Windows management where display requests between windows is handled by using a priority list for window control (see figure 2) where the window with the highest priority may displayed in front of a window with a lower priority.
The window that is displayed in the front is, as is customary in windowing operating systems, said to be "in focus" or "active" and is able to receive input.
 - 2.2 The feature in claim 16 of giving preference within any one priority to windows having requested focus (or display in front of other windows) is naturally also disclosed in D1, since it deals with applications with windows having requested display control and that the priority of these windows are checked if they should get displayed in the front or not.
3. Dependent claims 2-5, 7-10, 12-15, 17, 18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). Regarding the feature in claims 2,7,12 of giving preference within any one priority to windows having requested focus, see section 2.2 above.
- 4 Preventively, even if it would not be disclosed or implicitly disclosed in D1 that the window that is displayed in the front receive focus, is active and is ready for input; to add such a feature to the system disclosed in D1 would not involve any inventive activity for the skilled person in the field. It would be a normal design option that would fulfill the obvious purpose of avoiding the extra motion for the user to achieve focus of the window.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2005/003411

(Article 33(3) PCT).

Copy for (DO-EP) 31
PATENT COOPERATION TREATY

PCT/GB2005/003411

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE

(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

WHITE, Duncan
Marks & Clerk
90 Long Acre
London WC2E 9RA
ROYAUME-UNI

Date of mailing (day/month/year) 17 January 2007 (17.01.2007)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference WPP93257	
International application No. PCT/GB2005/003411	International filing date (day/month/year) 05 September 2005 (05.09.2005)

1. The following indications appeared on record concerning:

☒ the applicant ☐ the inventor ☐ the agent ☐ the common representative

Name and Address NDS LIMITED One London Road Staines Middlesex TW18 4EX United Kingdom	State of Nationality GB	State of Residence GB
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☒ the address ☐ the nationality ☐ the residence

Name and Address NDS LIMITED One Heathrow Boulevard 286 Bath Road West Drayton Middlesex UB7 0BQ United Kingdom	State of Nationality GB	State of Residence GB
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☐ the receiving Office ☒ the designated Offices concerned
☐ the International Searching Authority ☐ the elected Offices concerned
☐ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Ben-Mansour Naceur
Facsimile No. +41 22 338 82 70	Facsimile No. +41 22 338 87 40 Telephone No. +41 22 338 87 61

MARKS & CLERK

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Netherlands

EPO-DG 1

13 -12- 2006

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please quote
our reference

EPP93257

your reference

date

12 December 2006

Document : 1219106

Dear Sirs

**RE: European Patent Application No. 05777597.5
in the name of NDS Limited**

Please be advised that the address of the applicant NDS Limited, has changed from One London Road, Staines, Middlesex, TW18 4EX, United Kingdom to:

One Heathrow Boulevard
286 Bath Road
West Drayton
Middlesex
UB7 0BQ
United Kingdom

Please update your records to reflex this change of address and send us your written confirmation in due course.

We also request immediate entry into the European Regional Phase.

Yours faithfully



Marks & Clerk

WHITE, DUNCAN ROHAN

A list of Marks & Clerk Patent and Trade Mark Attorneys partners is available for inspection at 90 Long Acre, London WC2E 9RA.

Marks & Clerk Patent and Trade Mark Attorneys has offices as follows:

UK: Birmingham Cambridge Cheltenham Edinburgh Glasgow Leeds Leicester Liverpool London Manchester Oxford

Our affiliated overseas firms have offices as follows:

Overseas: Luxembourg Paris Hong Kong Ottawa